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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,  
14 Plaintiff,  
15 v.  
16 JAVIER RAMIREZ,  
17 Defendant.

CASE NO. CR-15-0234 CRB

**DEFENDANT JAVIER RAMIREZ'S  
UNOPPOSED MOTION TO  
WITHDRAW GUILTY PLEA  
FOLLOWING SUCCESSFUL  
COMPLETION OF DIVERSION;  
[PROPOSED] ORDER**

Sentencing Date: June 21, 2023

18 On August 21, 2019, defendant Javier Ramirez appeared before this Court on a  
19 Superseding Information charging him with one count of introduction and delivery for  
20 introduction of adulterated and misbranded drugs, in violation of 21 U.S.C. §§ 331(a) and  
21 331(a)(1). The parties presented the Court with a plea agreement. Under the terms of that  
22 agreement, Mr. Ramirez pled guilty as charged and agreed to remain under the supervision of  
23 Pretrial Services until sentencing. The agreement provides that upon compliance of the terms set  
24 forth in the plea agreement, Mr. Ramirez can make an unopposed motion to withdraw his guilty  
25 plea at the time of sentencing, and the government will move to dismiss the Superseding  
26 Information.

27 Mr. Ramirez has complied with the requirements and conditions set forth in the plea  
28 agreement. The government agrees that Mr. Ramirez has complied with the terms of the plea  
agreement and does not oppose Mr. Ramirez's motion to withdraw his guilty plea. Accordingly,

1 Mr. Ramirez respectfully requests that the Court enter the proposed order below permitting him to  
2 withdraw the guilty plea he entered before this Court on August 21, 2019. Once the order is  
3 entered, Mr. Ramirez anticipates that the government will file a notice of dismissal.

4 Respectfully submitted,

5  
6 DATED: March 27, 2023

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/s/  
PAMELA HERZIG  
7 Attorney for JAVIER RAMIREZ  
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10 [PROPOSED] ORDER

11 For the reasons stated, and for good cause shown, defendant Mr. Ramirez's motion to  
12 withdraw his plea of guilty to a violation of 21 U.S.C. §§ 331(a) and 331(a)(1) on August 24, 2019  
13 is hereby GRANTED.

14 IT IS SO ORDERED.

15 Dated: March 30, 2023

CHARLES R. BREYER  
16 UNITED STATES DISTRICT JUDGE  
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